

## REMARKS

In the Official Action mailed on **November 28, 2003**, the examiner reviewed claims 1-21. Claims 1-21 were rejected under 35 U.S.C. 102(b) as being clearly anticipated by Gosling (USPN 5,668,999, hereinafter "Gosling").

### Rejections under 35 U.S.C. §102(b) and 35 U.S.C. §103(a)

Independent claims 1, 8, and 15 were rejected as being clearly anticipated by Gosling. Applicant respectfully points out that Gosling teaches a system for a static pre-verification of stack usage in bytecode program loops **prior to execution of a bytecode program** (see Gosling, col. 2, lines 1-7). In effect, Gosling teaches the prior art system as described in the related art section of the instant application (see page 1, line 27 to page 3, line 19 of the instant application).

In contrast, the present invention provides a dynamic system that verifies the state of **an executing program** when the executing program is transferred from one computer to another computer (see page 7, lines 11-15 of the instant application). This type of dynamic verification is beneficial because it enables the system to examine non-static portions of the application snapshot, for example by determining if the operating state of the stack is consistent with the current point of execution within the program (see page 8, line 8 to page 9, line 8 of the instant application. note that static pre-verification techniques as in Gosling cannot access this dynamic information because this dynamic information does not exist prior to program execution (see page 3, lines 4-7 of the instant application).

There is nothing within Gosling that suggests, either explicitly or implicitly, verifying the state of an executing program when the executing program is transferred from one computer to another computer. In fact, Gosling teaches away from verifying the state of an executing program when the executing

program is transferred from one computer to another computer (see Gosling col. 2, lines 1-7—“...prior to execution of a bytecode program...”

Accordingly, Applicant has amended independent claims 1, 8, and 15 to clarify that the present invention provides a dynamic system that verifies the state of an executing program when the executing program is transferred from one computer to another computer. These amendments find support on page 7, lines 11-15 of the instant application.

Hence, Applicant respectfully submits that independent claims 1, 8, and 15 as presently amended are in condition for allowance. Applicant also submits that claims 2-7, which depend upon claim 1, claims 9-14, which depend upon claim 8, and claims 16-21, which depend upon claim 15 are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

**CONCLUSION**

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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